

REMARKS

Reconsideration of this application is requested.

The pending claims are prior claims 1-12 and new claim 13.

Claim 7 has been amended to obviate the basis for the Examiner's objections to claims 7-12. No new matter or issues are raised by the amendments which, in substance, conform with claim 7 as originally presented.

Claim 1 has been amended to emphasize differences between the applicants' invention and the cited art. Basis for the amendments to claim 1 is found at page 2, lines 8-19 of the applicants' specification.

New claim 13 is drawn to a preferred subgroup for R^2 and finds support in the applicants' disclosure at page 2, lines 8-14.

The Examiner is respectfully requested to reconsider the Section 102(b) rejection of claims 1-12 as anticipated by Bauer et al. (U.S. 6,406,527), particularly in view of the amendments to claim 1, the applicants' main claim.

More specifically, the definition of R^2 in claim 1, as amended, specifies that R^2 is either alkyl carrying a water-solubilizing group selected from the group consisting of OH, $-(OCH_2CH_2)_q-$, where q is from 1 to 10, carboxylic acid and sulfonic acid groups and salts thereof; or a C_{1-12} -alkyl group free from water-solubilizing groups. In Bauer et al., R^2 is alkyl substituted with an amino-pyrimidine substituent which carries water-solubilizing substituents. Thus, claim 1 clearly distinguishes from the disclosure of Bauer et al. For similar reasons, prior claims 2 to 12 and new claim 13 also distinguish over Bauer et al. as these claims depend from, or upon, claim 1.

In summary, the applicants' claims, as amended, define subject matter which is novel over Bauer et al. Accordingly, withdrawal of the Section 102(b) rejection is requested.

The Examiner has not raised any issue of obviousness with respect to the applicants' invention. Hence detailed comments on the unobviousness of the applicants' invention over Bauer et al. is not thought necessary. It is noted, however, that the applicants' compounds differ in unobvious fashion from Bauer et al. For example, if a person of ordinary skill in the art decided to use Bauer et al. as a starting point for a synthetic program to develop new dyes for use in ink-jet printing, they would have to decide to replace the compulsory amino-pyrimidine substituent in the dyes of Bauer et al. The person of ordinary skill would be very unlikely to do this since, of all the compulsory component parts of the dyes of Bauer et al., the amino-

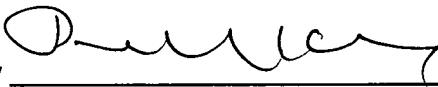
pyrimidine substituent is the most unusual, i.e. the one least commonly used as a dyestuff component (compared, for example, to triazine and sulfonated naphthylene). Thus, the person of ordinary skill would assume that this amino-pyrimidine group of Bauer et al. was essential to obtain the favorable properties of the dyes of Bauer et al.

Furthermore, the applicants' compounds require a hydroxy-triazine linking group. Only one of the examples in Bauer et al. has this feature (Example 12). There is nothing in Bauer et al. which would motivate the person of ordinary skill to develop dyes based on this one example. Indeed Bauer et al. would lead the person of ordinary skill in the art away from a hydroxy-triazine group since in Bauer et al., it is preferred that R¹ (the group which corresponds to the hydroxy substituent on the hydroxytriazine) is A-X-COOM or A-X-SO₂M (Col. 2, lines 60-62) and the person of ordinary skill would, on reading Bauer et al., tend to focus on developing dyes carrying these groups. Thus, in short, the applicants' invention is not only clearly novel over Bauer et al., it is also unobvious therefrom.

Favorable reconsideration with allowance of the application is requested.

Respectfully submitted,

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Date: March 7, 2008

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